

Introduction to wills and estates

Wednesday 8 August 2018 | 8.30am-5pm
Law Society House, Brisbane

Overview

Aimed at junior practitioners and legal support staff with less than three years' experience, this introductory course develops delegates' knowledge and skills, offering:

- an overview of succession law
- practical guidance on estate planning, including preparing wills, general and enduring powers of attorney and deceased estate documentation
- an overview of estate administration and litigation, including probate, distribution to beneficiaries, and intestacy
- an update on legislative changes.

7 CPD Points



8am **Registration**

8.30am **Welcome**

Sandra Pepper, Legal Professional Development Executive, Queensland Law Society

8.45am **Wills and estates: The big picture**



This session will provide you with an overview of the principal legislation and common legal terminology and concepts relevant to succession law. In particular, the following questions will be answered:

- What is succession law?
- What is the role of the attorney?
- What is the role of the trustee?
- What is the role of the executor?
- What is the role of the administrator?
- What is the role of the guardian?

Emma Nisbet, Associate, de Groots Wills and Estates Lawyers

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

9am



Estate planning: Drafting a general and an enduring power of attorney

This session will include both theory and practical exercises in relation to common scenarios and discusses the following:

- the difference between a General and an Enduring Power of Attorney
- the purpose of an Advance Health Directive
- preparation and execution of documents
- witnessing requirements.

Emma Nisbet, Associate, de Groots Wills and Estates Lawyers

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

10.15am **Morning tea**

10.30am **Estate planning: Drafting a will**



This session will guide you through common issues that need to be addressed when drafting valid wills, including the following important concepts:

- requirements for a valid will
- taking instructions
- testamentary capacity
- common clauses
- what can and can't be disposed in a will
- changing or revoking a will
- codicils.

Angela Cornford-Scott, Director, Cornford-Scott Lawyers and Accredited Specialist (Succession Law) – Qld

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

12pm **Lunch**

1pm **Estate administration and estate litigation**



This session will introduce you to important definitions and focuses on the steps taken to administer an estate. Guidance will be offered on what to look out for in order to avoid being the subject of litigation.

The session will cover the following:

- Probate (solemn form) and Letters of Administration applications
- distribution to beneficiaries
- intestacy
- maintaining an estate trust account
- interpretation of a will
- Family Provision Applications
- suspicious circumstances surrounding a will.

Bryan Mitchell, Principal, Mitchells Solicitors and Accredited Specialist (Succession Law) – Qld

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

3pm **Afternoon tea**

3.30pm **Advocacy update: Emerging issues in succession law**



This session will provide you with an up-to-date snapshot of the emerging legislation and other developments in the area of succession law



Vanessa Krulin, Policy Solicitor, Queensland Law Society

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

3.50pm **Practical tips for dealing with the Probate Registry**



This practical session will provide you with tips from an experienced practitioner on how to interact with the Probate Registry. It will include both theory and practical exercises in relation to common scenarios in applying for probate, plus discussion on:



- Probate applications
- avoiding requisitions – common mistakes
- Court forms.

Prue Poole, Principal, McInnes Wilson lawyers and Accredited Specialist (Succession Law) – Qld

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

4.20pm **Red flags: dealing with the capacity of a client**



This session will be an overview of the fundamental ethical duties that solicitors and their support staff have an obligation to follow. It will highlight disciplinary decisions where practitioners have failed to note 'red flags' when dealing with the capacity of a client.

Stafford Shepherd, Director, QLS Ethics Centre, Queensland Law Society

Chair: **Sandra Pepper**, Legal Professional Development Executive, Queensland Law Society

5pm **Close**